

## Message Text

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14

ACTION EB-07

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

      DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /027 W

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R 280450Z JAN 76

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 2401

LIMITED OFFICIAL USE JAKARTA 1201

E.O. 11652: N/A

TAGS: EAIR, IN

SUBJECT: US-INDONESIA CIVAIR NEGOTIATIONS

1. IN TWO DAYS OF TALKS WHICH BEGAN JANUARY 26, VIRTUALLY NO PROGRESS HAS BEEN MADE DUE IN LARGE PART TO FACT THAT INDONESIAN DEL HAS SHOWN NO INCLINATION TO BARGAIN. USDEL PRESENTED TEXT OF A SUPPLEMENTARY UNDERSTANDING SIMILAR IN CONCEPT TO US-PERU UNDERSTANDING AND INCORPORATING FOLLOWING MAIN FEATURES:

      A. UNDERSTANDING TERMINATES MARCH 31, 1979 UNLESS NO FURTHER AGREEMENT REACHED BY THAT DATE IN WHICH CASE IT CONTINUES IN EFFECT UNTIL TERMINATED BY EITHER PARTY WITH SIX MONTHS NOTICE.

      B. ROUTE RIGHTS ARE SPECIFIED. FOR US, THEY ARE THOSE IN PAN AM'S JANUARY 13 LETTER WITH ADDITION OF JAPAN FOR CARGO ONLY. INDONESIAN ROUTE SHOWN AS "INDONESIA TO HONOLULU AND (BLANK), WITH A NON-TRAFFIC STOP AT GUAM."

      C. FREQUENCY LEVELS FOR US ARE 4, 5, AND 6 FOR EACH OF THREE YEARS FOR COMBINATION SERVICES AND 1, 2, AND 2 FOR ALL-CARGO. THERE IS SUBSTITUTION RATIO FOR WIDE BODIES.

2. INDO DEL SAID THERE COULD BE NO INTERMEDIATE OR BEYOND RIGHTS FOR US AS MATTER OF PRINCIPLE. USDEL REPLIED THAT, IN THIS EVENT, THERE COULD BE NO AGREEMENT AND IMPLIED LIMITED OFFICIAL USE

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THERE MIGHT NOT BE ANY US AIRLINE SERVICE TO INDONESIA.

WE URGED INDO DEL NOT TO VIEW ISSUE AS ONE OF PRINCIPLE.  
HOWEVER, INDO DEL HAS NOT BUDGED AND HAS INSISTED FURTHER  
DISCUSSION BE DEFERRED.

3. RE FREQUENCIES, INDO DEL WILL APPARENTLY ACCEPT 4  
COMBINATION FLIGHTS FOR US BUT NO AUTOMATIC INCREASES. IT  
WANTS 4 FLIGHTS FOR GARUDA. ALTHOUGH CARGO FLIGHTS HAVE  
NOT BEEN FORMALLY REJECTED, INDO DEL ACTS AS THOUGH  
IT INTENDS DO SO. IN ORDER INJECT A LITTLE  
UNREASONABLENESS OF OUR OWN, WE COUNTERED WITH 2  
COMBINATION FLIGHTS FOR GARUDA.

4. AFTER INITIALLY APPEARING TO ACCEPT CONCEPT OF  
UNDERSTANDING WE HAD PROPOSED, INDO DEL LATER SAID ITS  
OBJECTIVE WAS TO AMEND CERTAIN PARTS OF MAIN AGREEMENT  
PERMANENTLY. THEREFORE, IT COULD NOT ACCEPT POSSIBILITY  
THAT, IF UNDERSTANDING COULD BE TERMINATED, PROVISIONS  
OF MAIN AGREEMENT WOULD AGAIN COME INTO EFFECT. INDO  
DEL SAID IT WAS CONCERNED THAT US WOULD THEN INSIST THAT  
FULL BERMUDA PRINCIPLES ONCE AGAIN APPLY. WE ARGUED  
THAT INDO POSITION WAS A REVERSAL OF CONCEPT IT HAD  
AGREED TO PURSUE AT END LAST CONSULTATIONS, THAT US HAD  
OFFERED COMPROMISES BUT INDONESIANS HAD NOT, AND THAT,  
SINCE INDONESIA HAD ALREADY VIOLATED BURMUDA PRINCIPLES,  
US COULD PROBABLY "COUNT" ON INDONESIA DOING SO IN FUTURE.  
THIS ELICITED REFRAIN THAT, BECAUSE US HAD NOT PROTESTED  
ALLEGED INDONESIAN VIOLATIONS, IT HAD TACITLY ACCEPTED  
THEIR VALIDITY. WE COUNTERED THAT US HAD PROTESTED BUT  
HAD REFRAINED FROM AN INTERGOVERNMENTAL CONFRONTATION  
ONLY IN EXPECTATION THAT ISSUES WOULD BE RESOLVED IN  
CURRENT NEGOTIATIONS. THIS ALICE IN WONDERLAND DIALOGUE  
WAS MERCIFULLY ENDED WHEN DELS AGREED ADJOURN UNTIL  
JANUARY 28.  
NEWSOM

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
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**Disposition Approved on Date:**  
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**Disposition Date:** 28 MAY 2004  
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**TAGS:** EAIR, IN, US  
**To:** STATE  
**Type:** TE  
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